

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Mr. Joseph Prescimone
1822 Arbutus Avenue
Baltimore, Maryland 21227

Date: 4/6/88



Re: Petition for Zoning Variance
Case number: 88-406-A
SE/Cor. R/W Dillon Heights Avenue & V Ramp of Beltway
1st Election District - 1st Councilmanic District
Petitioner(s): Joseph Prescimone
HEARING SCHEDULED: THURSDAY, APRIL 14, 1988 at 2:00 p.m.

Dear Mr. Prescimone:

Please be advised that \$70.58 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Commission Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MARCELLANEOUS CASH RECEIPT
No. 50486
DATE 4-14-88 ACCOUNT R-01-615-000
AMOUNT \$ 70.58
RECEIVED BY Joseph Prescimone
FOR [Signature] 4/14/88
B 123*****70562* P121P 88-406-A
VALIDATION OR SIGNATURE OF CARRIER

and post set(s), there for each set not
J. Robert Haines
Zoning Commissioner of Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

FEB 26 1988



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case number: 88-406-A
SE/Cor. R/W Dillon Heights Avenue & V Ramp of Beltway
1st Election District - 1st Councilmanic District
Petitioner(s): Joseph Prescimone
HEARING SCHEDULED: THURSDAY, APRIL 14, 1988 at 2:00 p.m.

Variance to allow a front setback of 18 feet, a rear setback of 7 feet and a side setback of 5 feet, in lieu of the required 25 feet, 30 feet, and 10 feet setbacks respectively.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
cc: Mr. Joseph Prescimone
Mr. John C. Mellens, Sr., Inc.
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

July 29, 1988



Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
Intersection of SE R/W of Dillon Heights Avenue
with Ramp D of Beltway 1-695
1st Election District, 1st Councilmanic District
JOSEPH PRESCIMONE - Petitioner
Case No. 88-406-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on June 21, 1988 by David Mahan on behalf of the Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner

JRH:ccr

Enclosures

- cc: Mr. David C. Mahan, 8 Woodland Avenue, Severna Park, Md. 21146
Mr. Patrick A. Simon, 6100 Balto. National Pike, Balto., Md. 21228
Mr. Guilford E. Hoff, 5807 Hanna Road, Sykesville, Md. 21784
Mr. & Mrs. John H. Uhler, Jr., 1333 Dillon Heights Avenue, Baltimore, Md. 21228
Ms. Josephine V. Gerberg, 6603 Johnnycake Road, Balto., Md. 21228
People's Counsel, Rm. 304, County Office Bldg., Towson, Md. 21204

APPEAL
Petition for Zoning Variance
Intersection of SE R/W of Dillon Heights Avenue
with Ramp D of Beltway 1-695
1st Election District - 1st Councilmanic District
JOSEPH PRESCIMONE - Petitioner
Case No. 88-406-A

Petition for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: 1.) Plat to accompany Variance Petition Joseph Prescimone property

Protestant's Exhibits: 1.) Nine 3" x 5" photographs of location
2.) Petition signed by homeowners in surrounding area addressing objections to the Zoning Variance.

Zoning Commissioner's Order dated May 13, 1988 (Denied)

Notice of Appeal received June 21, 1988 from David C. Mahan

Mr. David C. Mahan, 8 Woodland Avenue, Severna Park, Md. 21146

Mr. Patrick A. Simon, 6100 Baltimore National Pike, Balto., Md. 21228

Mr. Guilford E. Hoff, 5807 Hanna Road, Sykesville, Md. 21784

Mr. & Mrs. John H. Uhler, Jr., 1333 Dillon Heights Avenue, Balto., Md. 21228

Ms. Josephine V. Gerberg, 6603 Johnnycake Road, Balto., Md. 21228

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
James Hoswell, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Naslarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Docket Clerk

PROTESTANT'S
EXHIBIT 1

Re: 88-406-A

APPROACH FROM JOHNNYCAKE ROAD



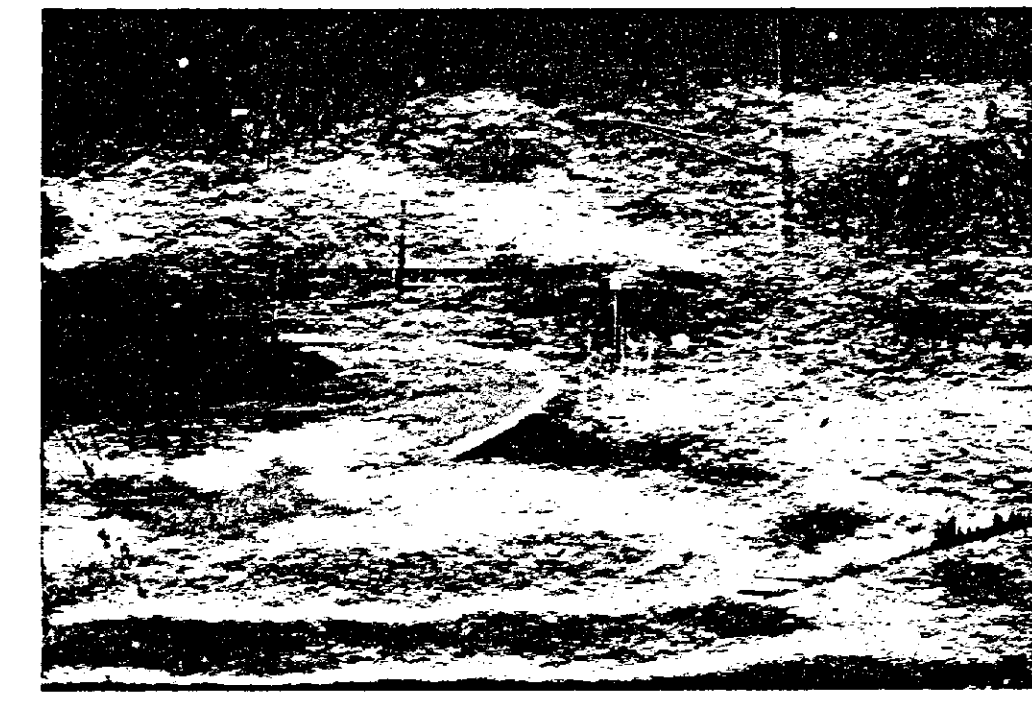
Re: 88-406-A

APPROACH FROM
DILLON HEIGHTS AVE.

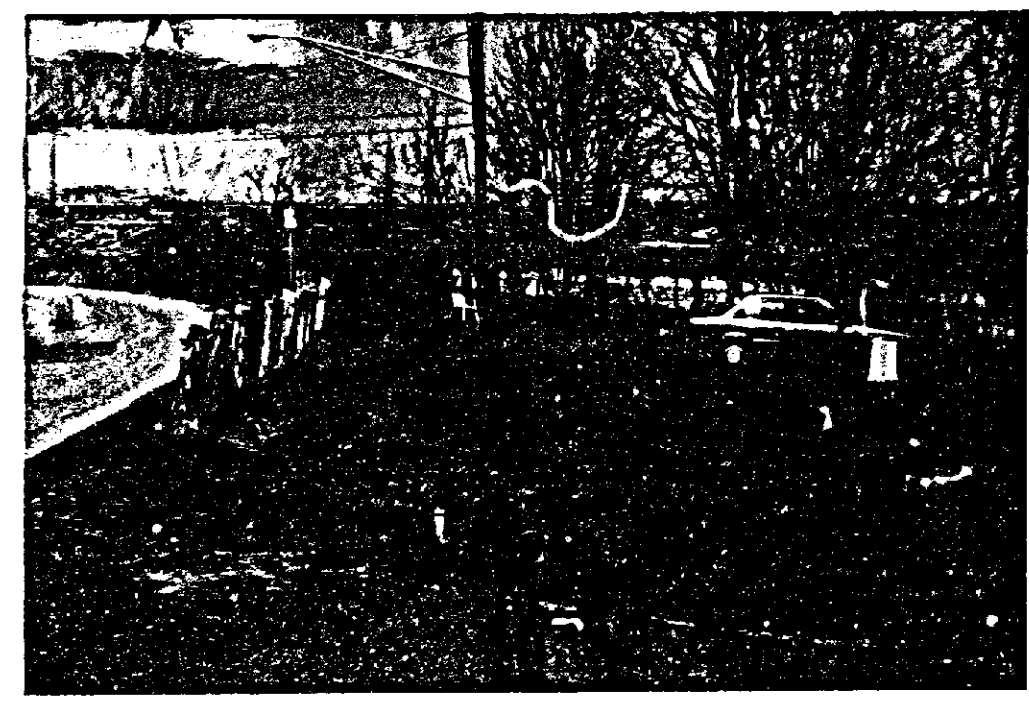


Re: 88-406-A

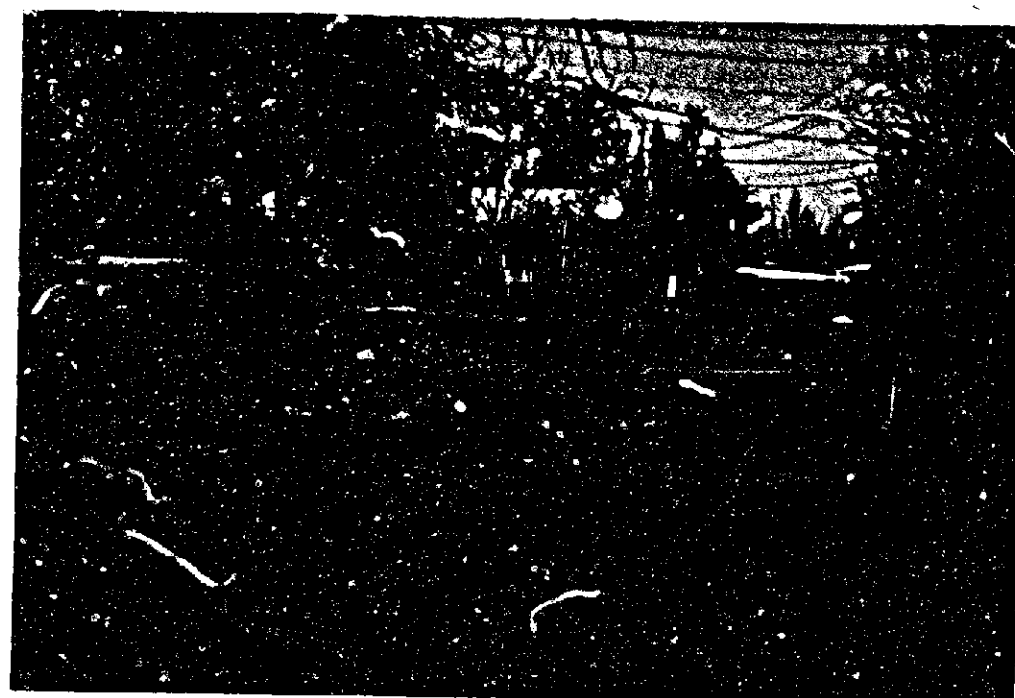
FRONT PROP. LINE AND CURVE



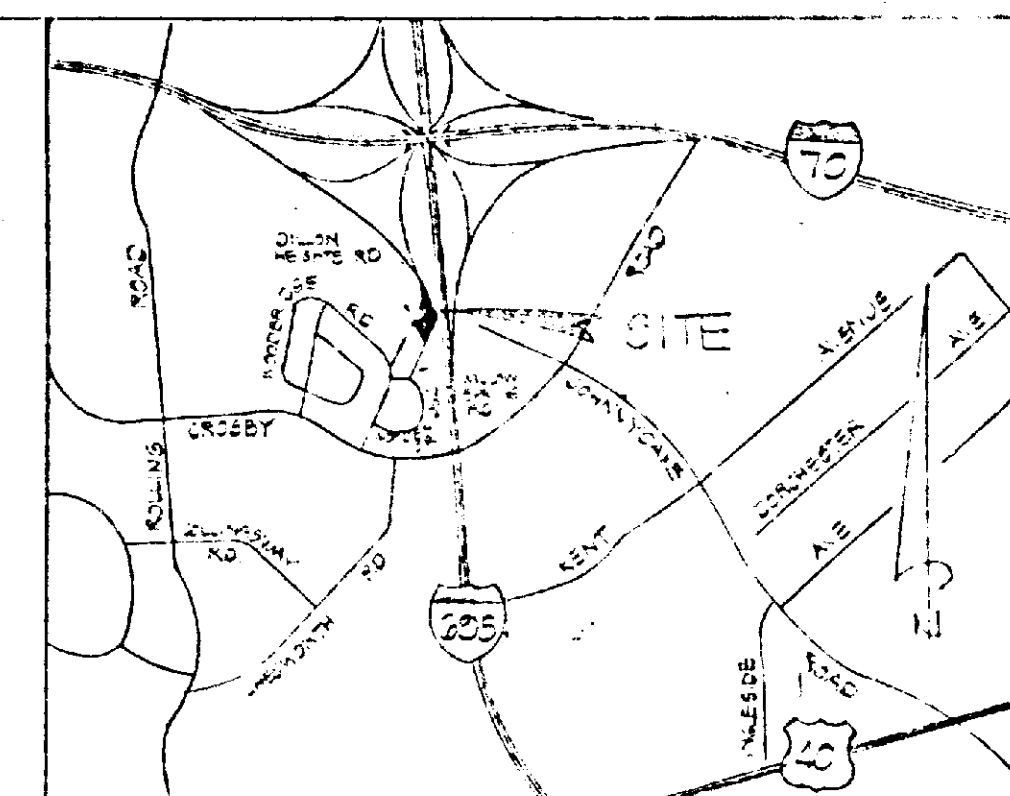
PARKING AREA



EAST SIDE PROP. LINE AND REAR CORNER OF HOUSE



(9)

LOCATION MAP
SCALE 1"=100'

GENERAL NOTES

1. LOT 3 BEING KNOWN AS PROPOSED LOT
2. TOPOGRAPHY OF LAND HEREON IS BASED ON THE PHOTOAERIAL MAP OF THE BALTIMORE COUNTY METROPOLITAN AREA

3. DEED REFERENCE: 7449/403
4. TAX MAP 85 PARCELS 237 & 420
5. TAX ACCT # 011000011402

DENSITY TABULATIONS

EXISTING ZONING	OR S.C.
2. TOTAL AREA OF PARCEL	0.5266 AC.
3. NO. OF LOTS ALLOWED	5.5 x 0.59 = 3 LOTS
4. NO. OF LOTS PROPOSED	3 LOTS
5. TOTAL AREA OF HIGHWAY WIDENING	N/A
6. TOTAL AREA OF LOTS	0.5266 AC.
7. GROSS RESIDENTIAL DENSITY	5.08

PETITIONER'S
EXHIBIT 1

#251

PLAT TO ACCOMPANY VARIANCE PETITION

PROPERTY OF

JOSEPH PRESCIMONE
& DAVID MAHAN107 E. BOSTON STREET BALTIMORE CO MD
21201-1100DECEMBER 1987
JOB # 51615

88/406/A.

Δ	LAB	ARC	TAN	LONG CHORD
A 108° 53' 28"	10.00	19.01	13.97	50° 42' 10" W 16.21'
B 71° 06' 36"	10.00	18.41	7.15	185° 41' 30" W 11.03'

① S 50° 14' 54" E 18.00'
② S 23° 45' 20" W 20.00'
③ N 50° 14' 34" W 21.29'
④ S 58° 58' 54" W 3.01'
⑤ S 07° 40' 52" E 51.76'

WILLOW SPRING ROAD
BALTIMORE BELTWAY
(OR C. 20380)

PREPARED BY:

JOHN C. MELLEMA SR. INC.

LAND SURVEYORS

SUITES 45 & 6

3100 BALTIMORE NATIONAL PIKE BALTIMORE, MD 21225

301-744-3530

PETITION 2A

We, the homeowners, on Dillon Heights Avenue, Johnnycake Road, and Willow Spring Avenue object to the zoning variance requested by Mr. Joseph Prescimone in case 88-406-A before the Zoning Commissioner of Baltimore County.

We feel that the land is too small for a suitable dwelling, and if a sub-standard dwelling is located there it will lower the value of the neighboring properties. In addition, since the land is located on a sharp, nearly blind curve, any resident of this property will become a serious traffic hazard whenever he enters or exits his driveway. Finally, the proposed zoning variance would leave very little clearance (only 5 feet) between the rear corner of the house and the state owned fence bordering the Baltimore Beltway. This lack of clearance would prevent the possible construction of a much needed sound barrier between the above mentioned streets and the Baltimore Beltway.

We, the undersigned, therefore petition that the zoning variance requested in case 88-406-A be denied.

DATE	NAME	ADDRESS	SIGNATURE
4/5/88	ELIZABETH L. UHLER	1333 DILLON HGTS AVE	<i>Elizabeth L. Uhler</i>

4/5/88	JOHN H. UHLER JR.	1333 DILLON HGTS AVE.	<i>John H. Uhler Jr.</i>
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4/5/88	EUGENE J. GERBERG	1330 DILLON HEIGHTS AVE	<i>Eugene J. Gerberg</i>
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4/6/88	RAYMOND L. CLINGMAN	1322 DILLON HGTS AVE.	<i>Raymond L. Clingman</i>
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4/12/88	MARILYN L. SZEWCZYK	1327 DILLON HEIGHTS AVE	<i>Marilyn Szwczyk</i>
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4/12/88	EDWARD W. SZEWCZYK	1327 DILLON HEIGHTS AVE	<i>Edward W. Szwczyk</i>
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BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
1st day of February, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Joseph Prescimone
Petitioner's Attorney: _____
Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4300

Paul H. Reinke
Chief
J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

January 20, 1988

Re: Property Owner: Joseph Prescimone
Location: SEC R/W Dillon Heights Avenue and W. Ramp of Beltway (695)
Item No.: 251
Zoning Agenda: Meeting of 1/26/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: Patricia M. Kelly 1/20/88 Noted and Approved: John F. O'Neill
Planning Division Fire Prevention Bureau
Special Inspection Division

/31

Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

July 29, 1988

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
Intersection of SE R/W of Dillon Heights Avenue
with Ramp D of Beltway I-695
1st Election District, 1st Councilmanic District
JOSEPH PRESCIMONE - Petitioner
Case No. 88-406-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on June 21, 1988 by David Mahan on behalf of the Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Mr. David C. Mahan, 8 Woodland Avenue, Severna Park, Md. 21146
Mr. Patrick A. Simon, 6100 Balto. National Pike, Balto., Md. 21228
Mr. Guilford E. Hoff, 5807 Hanna Road, Sykesville, Md. 21784
Mr. & Mrs. John H. Uhler, Jr., 1333 Dillon Heights Avenue
Baltimore, Md. 21228
Ms. Josephine V. Gerberg, 6603 Johnnycake Road, Balto., Md. 21228
People's Counsel, Rm. 304, County Office Bldg., Towson, Md. 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner Date: March 24, 1988

FROM: P. David Fields
Director of Planning and Zoning
Zoning Petition Nos. 88-400-A,
88-402-A, 88-403-A, 88-404-A,
88-405-A, 88-406-A, 88-407-A

SUBJECT: 88-405-A, 88-406-A, 88-407-A

There are no comprehensive planning factors requiring comment on this petition.

P. David Fields per J. Haines
P. David Fields
Director

PDF:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

cc Joseph Prescimone
4/6/88 JPH

CPS-008

RECEIVED
APR 4 1988
ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 5, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

ooo

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Joseph Prescimone
1822 Arbutus Avenue
Baltimore, Maryland 21227

Item No. 251 - Case No. 88-406-A
Petitioner: Joseph Prescimone
Petition for Zoning Variance

Dear Mr. Prescimone:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:cer

Enclosures

cc: John C. Mellema, Sr., Inc.
Land Surveyors
Suites 4, 5, & 6
6100 Baltimore National Pike
Baltimore, Maryland 21228

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

August 3, 1988

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
Intersection of SE R/W of Dillon Heights Avenue
with Ramp D of Beltway I-695
1st Election District, 1st Councilmanic District
JOSEPH PRESCIMONE - Petitioner
Case No. 88-406-A

Dear Board:

In response to your recent inquiry on the above-captioned case, please be advised that the correct deadline date for filing an appeal in this matter would have been on or about June 13, 1988. However, it has been brought to my attention that the Appellant, David Mahan, was incorrectly quoted a deadline date of June 21, 1988. Obviously this date was well in excess of the 30-day appeal period, however, we accepted his appeal in error.

If you have any further questions on the subject, please do not hesitate to contact me.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:cer

cc: People's Counsel

Case File 88-406-A

RECEIVED
JUN 21 1988
ZONING OFFICE

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

February 12, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 247, 248, 250, 251, 252, 253, 254, 255 and 256.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/pml-b

GENERAL NOTES
LOT 3 BEING KNOWN AS PROPOSED LOT
2. TOPOGRAPHY SHOWN HEREON IS BASED ON THE
HYDROGRAPHIC MAP OF THE BALTIMORE COUNTY
METROPOLITAN AREA

3. DEED REFERENCE - 7449/403
4. TAX MAP 95 PARCELS 937, 942
5. TAX AC. # 01-1600011402

DENSITY TABULATIONS

1. EXISTING ZONING	OK 5:5
2. TOTAL AREA OF PARCEL	0.536 AC.
3. NO. OF LOTS ALLOWED	5.5 x 0.536 = 3 LOTS
4. NO. OF LOTS PROPOSED	3 LOTS
5. TOTAL AREA OF HIGHWAY WIDENING	N/A
6. TOTAL AREA OF LOTS	0.536 AC.
7. GROSS RESIDENTIAL DENSITY	5.08

PETITIONER'S
EXHIBIT 1

PLAT TO ACCOMPANY VARIANCE PETITION

PROPERTY OF

JOSEPH PRESCIMONE

DAVID MAHAN

1ST ELECTION DISTRICT BALTIMORE COUNTY

SCALE 1"=50'

DECEMBER 1987

JOB # 67648

88-406-A



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 494-2180 887-3180

November 16, 1988

Mr. David C. Mahan
8 Woodland Avenue
Severna Park, MD 21146

RE: Case No. 88-406-A
Joseph Prescimone

Dear Mr. Mahan:

Enclosed is a copy of the final Opinion and Order issued this date by the County Board of Appeals in the subject case.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Secretary

encl.

cc: Mr. Joseph Prescimone
John C. Mellema, Inc.
Mr. Patrick A. Simon
Mr. Guilford E. Hoff
Mr. & Mrs. John H. Uhler
Ms. Josephine V. Gerberg
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk - Zoning
Arnold Jablon, County Attorney
Century 21 Tabler, Attn: Pepper



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 494-2180 887-3180

November 15, 1988

TO: Century 21 Tabler
1036 Circle Drive
Sykesville, MD 21784
Attn: Pepper

FROM: Kathi Weidenhammer
County Board of Appeals

RE: Case No. 88-406-A
Joseph Prescimone

Enclosed are copies of the following documents regarding the subject file:

- Copy of Petition for Variance
- Copy of Zoning Commissioner's Order dated May 13, 1988 (denying variances)
- Copy of letter of appeal from David Mahan

When the Board's Order is issued, I'll forward to you a copy of that document as well as the enclosed.

If you have any questions, please call.

Attachments



County Board of Appeals of Baltimore County
Room 315, County Office Building
Towson, Maryland 21204
(301) 494-2180

August 16, 1988

Mr. John Uhler, Jr.
1333 Dillon Heights Avenue
Baltimore, MD 21228

RE: Case No. 88-406-A
Joseph Prescimone

Dear Mr. Uhler:

In response to your telephone request this afternoon, enclosed are the following:

- 1) Copy of appeal letter from David Mahan dated June 6, 1988
- 2) Copy of letter from J. Robert Haines to Board of Appeals dated August 3, 1988
- 3) Copy of Council Bill No. 59-79 which sets forth the Rules of Practice and Procedure as contained in the Baltimore County Code and also in the appendix of the Zoning Regulations.

If you have any questions regarding the enclosures or this case in general, please call this office.

Sincerely,

Kathleen C. Weidenhammer
Administrative Secretary

Encl.



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-2180
August 18, 1988
NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 88-406-A

JOSEPH PRESCIMONE

Intersection of SE R/W of Dillon Hgts. Ave. with ramp D of Beltway I-695

1st E. District

Variance - Setbacks

5/13/88 - Zoning Variance Denied by Z.C.

ASSIGNED FOR:

WEDNESDAY, NOVEMBER 2, 1988, at 10 a.m.

cc: Joseph Prescimone

Petitioner

John C. Mellema, Sr., Inc.

David Mahan

Patrick Simon

Guilford Hoff

Mr. and Mrs. John Uhler, Jr.

Josephine Gerberg

People's Counsel *per Philip Cole*

David Fields Planning

J. Robert Haines Zoning

Ann Nastarowicz

James Dyer

Docket Clerk

Arnold Jablon, County Attorney

June Holmen, Secretary

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

July 29, 1988

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
Intersection of SE R/W of Dillon Heights Avenue with Ramp D of Beltway I-695
1st Election District, 1st Councilmanic District
JOSEPH PRESCIMONE - Petitioner
Case No. 88-406-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on June 21, 1988 by David Mahan on behalf of the Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Mr. David C. Mahan, 8 Woodland Avenue, Severna Park, Md. 21146

Mr. Patrick A. Simon, 6100 Balto. National Pike, Balto., Md. 21228

Mr. Guilford E. Hoff, 5807 Hanna Road, Sykesville, Md. 21784

Mr. & Mrs. John H. Uhler, Jr., 1333 Dillon Heights Avenue, Baltimore, Md. 21228

Ms. Josephine V. Gerberg, 6603 Johnnycake Road, Balto., Md. 21228

People's Counsel, Rm. 304, County Office Bldg., Towson, Md. 21204



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-2180
August 18, 1988
NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 88-406-A

JOSEPH PRESCIMONE

Intersection of SE R/W of Dillon Hgts. Ave. with ramp D of Beltway I-695

1st E. District

Variance - Setbacks

5/13/88 - Zoning Variance Denied by Z.C.

WEDNESDAY, NOVEMBER 2, 1988, at 10 a.m.

ASSIGNED FOR:

Petitioner

cc: Joseph Prescimone

John C. Mellema, Sr., Inc.

David Mahan

Patrick Simon

Guilford Hoff

Mr. and Mrs. John Uhler, Jr.

Josephine Gerberg

People's Counsel

Planning

Zoning

"

"

"

June Holmen, Secretary

RE: PETITION FOR VARIANCE : BEFORE THE COUNTY BOARD OF APPEALS
Intersection of SE R/W : OF BALTIMORE COUNTY
of Dillon Hgts. Ave. with
Ramp D of Beltway I-695
1st District :

JOSEPH PRESCIMONE, Petitioner : Case No. 88-406-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 19th day of August, 1988, a copy of the foregoing Entry of Appearance was mailed to Mr. Joseph Prescimone, 1822 Arbutus Ave., Baltimore, MD 21227; Mr. David C. Mahan, 8 Woodland Ave., Severna Park, MD 21146; Mr. and Mrs. John H. Uhler, Jr., 1333 Dillon Heights Ave., Baltimore, MD 21228; and Ms. Joseph V. Gerberg, 6603 Johnnycake Rd., Baltimore, MD 21228.

Peter Max Zimmerman
Peter Max Zimmerman

8/18/88 - Following notified of hear. set for Wed. Nov. 2, 1988, at 10 a.m.:

J. Prescimone
John Mellema
David Mahan
Patrick Simon
Guilford Hoff
Mr. and Mrs. J. Uhler, Jr.
Josephine Gerberg
People's Counsel
D. Fields
R. Haines, A. Nastarowicz, J. Dyer, Doc. Clerk

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

88-406-A
Date of Posting: August 12, 1988

District: 1st

Posted for: Appeal

Petitioner: Joseph Prescimone

Location of property: Intersection of SE R/W of Dillon Heights Ave. with Ramp D of Beltway I-695

Location of Sign: SE R/W of Dillon Heights Ave. & Beltway I-695

Remarks: In front of subject property

Posted by: J. Dyer

Number of Signs: 1

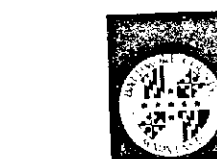
Date of return: August 12, 1988

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

RECEIVED
TOWSON
8/18/88
C.P.

August 3, 1988



Dennis F. Rasmussen
County Executive

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
Intersection of SE R/W of Dillon Heights Avenue with Ramp D of Beltway I-695
1st Election District, 1st Councilmanic District
JOSEPH PRESCIMONE - Petitioner
Case No. 88-406-A

Dear Board:

In response to your recent inquiry on the above-captioned case, please be advised that the correct deadline date for filing an appeal in this matter would have been on or about June 13, 1988. However, it has been brought to my attention that the Appellant, David Mahan, was incorrectly quoted a deadline date of June 21, 1988. Obviously this date was well in excess of the 30-day appeal period, however, we accepted his appeal in error.

If you have any further questions on the subject, please do not hesitate to contact me.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:cer

cc: People's Counsel

Case File 88-406-A

APPEAL

Petition for Zoning Variance
Intersection of SE R/W of Dillon Heights Avenue with Ramp D of Beltway I-695
1st Election District - 1st Councilmanic District
JOSEPH PRESCIMONE - Petitioner
Case No. 88-406-A

Variance-Setbacks

Petition for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: 1.) Plat to accompany Variance Petition
JOSEPH PRESCIMONE property

Protestant's Exhibits: 1.) Nine 3" x 5" photographs of location
2.) Petition signed by homeowners in surrounding area addressing objections to the Zoning Variance.

Zoning Commissioner's Order dated May 13, 1988 (Denied)

Notice of Appeal received June 21, 1988 from David C. Mahan

Joseph Prescimone, Petitioner
1822 Arbutus Ave., (21227)

John C. Mellema, Sr., Inc. (Representative to be contacted)
6100 Balto. National Pike (21228)

Mr. David C. Mahan, 8 Woodland Avenue, Severna Park, Md. 21146

Mr. Patrick A. Simon, 6100 Baltimore National Pike, Balto., Md. 21228

Mr. Guilford E. Hoff, 5807 Hanna Road, Sykesville, Md. 21784

Mr. & Mrs. John H. Uhler, Jr., 1333 Dillon Heights Avenue, Balto., Md. 21228

Ms. Josephine V. Gerberg, 6603 Johnnycake Road, Balto., Md. 21228

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Docket Clerk

Ann M. Nastarowicz